IN THE HIGH COURT OF JUDICATURE AT PATNA
Cr.Misc. No.27091 of 2008
SHIV SHANKAR SINGH
Versus
THE STATE OF BIHAR

3/ 23.09.2008 Heard learned Counsel for the petitioner and learned Counsel appearing on behalf of the State.

It appears that in course of family dispute this petitioner and Gita Singh have assaulted Jagdish Singh. The petitioner has assaulted by rod and Gita Singh through brickbats. Jagdish Singh received injury so the case was registered under Section 307 and some other Sections of the Indian Penal Code. After death of Jagdish Singh Section 302 of the Indian Penal Code was added. Some other persons have also received injury in this occurrence.

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Submission is that the post-mortem report has been annexed and according to it the deceased has only ante-mortem injury. The case at best comes under Section 307 of the Indian Penal Code because there was no repetition and the death is after a long time. The petitioner is in custody since 03.02.2008.

Considering the facts and circumstances of the case, the petitioner Shiv Shankar Singh is ordered to be released on bail on furnishing bail bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of A.C.J.M., Lakhisarai in connection with Lakhisarai P.S. Case No. 476/2007.

kksinha/ **(Shyam Kishore Sharma, J.)**